

OPINION

At this time, this Court will screen the petition pursuant to 28 U.S.C. § 1915(e)(2)(B) to determine whether it should be dismissed as frivolous or malicious, for failing to state a claim upon which relief may be granted or because it seeks monetary relief from a defendant who is immune from suit. For the following reasons, the petition for writ of mandamus will be summarily dismissed.

Under 28 U.S.C. § 1361, a district court has “jurisdiction over a mandamus action to compel an employee of the United States to perform a duty owed to the plaintiff.” *Taylor v. Hayman*, 435 F. App’x 62, 63 (3d Cir. 2011). In this case, however, petitioner seeks an order to compel *state officials* to perform an act. Such an order would not fall within this Court’s mandamus jurisdiction. *See id.*; *see also In re Brown*, 382 F. App’x 150, 150-51 (3d Cir. 2010) (“[T]o the extent that Brown seeks an order directing state courts or state officials to take action, the request lies outside the bounds of our mandamus jurisdiction as a federal court.”) (citing *In re Tennant*, 359 F.3d 523, 531 (D.C. Cir. 2004)).

Accordingly, for the foregoing reasons, the petition for writ of mandamus will be summarily dismissed. An appropriate order will be entered.

DATED: July 11, 2016

s/Robert B. Kugler
ROBERT B. KUGLER
United States District Judge